

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

|                              |   |                  |
|------------------------------|---|------------------|
| UNITED STATES OF AMERICA,    | § |                  |
| Plaintiff,                   | § |                  |
|                              | § |                  |
| v.                           | § | CIVIL ACTION NO. |
|                              | § |                  |
| \$14,330.00 IN U.S. CURRENCY | § |                  |
| Defendant                    | § |                  |

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$14,330.00 in United States currency, Defendant in rem, and alleges as follows in accordance with Rule G(2) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions:

*Nature of the Action*

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

*Defendant in Rem*

2. Defendant in rem is approximately \$14,330.00 in United States currency that was seized at the George Bush Intercontinental Airport in Houston, Texas, from Syed Ali Jaffery on January 28, 2010.

*Jurisdiction and Venue*

3. This Court has jurisdiction under 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court under 28 U.S.C. §§ 1355 and 1395(a) and (b) because the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas, the property was found and is located in the Southern District of Texas, and this forfeiture action accrued in the Southern District of Texas.

*Basis for Forfeiture*

5. The Defendant in rem is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. § 5316 and 5324(c) may be forfeited to the United States. Under 31 U.S.C. § 5316(a)(1)(A), a person shall file a report when the person knowingly transports, is about to transport, or has transported a monetary instrument of more than \$10,000 out of the United States. Under 31 U.S.C. § 5324(c)(1) no person shall, for the purpose of evading the reporting requirements of section 5316, fail to file a report required by 31 U.S.C. § 5316, or cause or attempt to cause a person to fail to file such a report. Under 31 U.S.C. § 5324(c)(2), no person shall file or cause or attempt to cause a person to file a report required by 31 U.S.C. § 5316 that

contains a material omission or misstatement of fact. United States currency is a monetary instrument Under 31 U.S.C. §5312(a)(3)(A).

*Facts*

6. On January 28, 2010, Syed Ali Jaffery was about to leave the United States aboard Emirates airlines flight #212 to Dubai, United Arab Emirates, at the George Bush Intercontinental Airport in Houston, Texas. On the jetway for that flight, a United States Customs and Border Protection Officer (CBP Officer) conducted a Customs outbound inspection. A CBP Officer asked Mr. Jaffery whether he was transporting more than \$10,000 in cash or monetary instruments for himself or anyone else. Mr. Jaffery stated verbally and in writing that he was carrying only \$8,000.

7. As part of a currency verification procedure, a CBP Officer asked Mr. Jaffery to show him his money. Also, a CBP Officer inspected Mr. Jaffery's luggage. The CBP Officers found that Mr. Jaffery was carrying \$14,330.00 on his person and in his carryon and checked luggage. Some of these funds were concealed in the lining of his luggage. In total Mr. Jaffery was attempting to carry \$14,330.00 out of the United States. Prior to the seizure of these funds, Mr. Jaffery did not file a truthful report as to these funds as required by 31 U.S.C. § 5316.

*Relief Requested*

8. Plaintiff requests the following:

- a. an arrest warrant and summons, citing all persons having an interest in the Defendant property to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, or as ordered by this Court,
- b. a judgment of forfeiture, and
- c. costs and other relief to which the Plaintiff may be entitled.

Dated: March 4, 2010.

Respectfully submitted,


José Angel Moreno  
United States Attorney

By: /s/ Albert Ratliff  
Albert Ratliff  
Attorney-in-Charge  
NY Bar No. 1073907  
SDTX Bar No. 6764  
Assistant United States Attorney  
United States Attorney's Office  
P. O. Box 61129, Houston, Texas 77208  
E-mail [albert.ratliff@usdoj.gov](mailto:albert.ratliff@usdoj.gov)  
Office (713) 567-9579, Fax (713) 718-3300

VERIFICATION

I, Pierre L. Perry, Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated in this complaint are true and correct to the best of my knowledge and belief.

Executed on March 4, 2010.



Pierre L. Perry, Special Agent  
U. S. Immigration and Customs Enforcement